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September 16, 2016

VIA ECF

Hon. Robert M. Levy
Magistrate Judge
United States District for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Campbell v. Ganguly, No. 14-cv-00188 (E.D.N.Y)

Dear Magistrate Levy:

This firm represents Plaintiffs James Campbell and Kevin Rudolf in this action. Pursuant to this Court's order dated July 13, 2016, we write with Defense counsel's consent regarding the forfeiture proceeding currently pending in the related criminal action, *U.S. v. Ganguly*, No. 14-cr-00123 (S.D.N.Y.) (the "Forfeiture Proceeding").

Since May 2015, this action has been stayed pending the resolution of two open issues in the Forfeiture Proceeding: (i) the motion to dismiss a petition brought by another of Ms. Ganguly's victims, which alleged a superior claims to a bank account containing more than \$2 million that had been otherwise forfeited and earmarked for victim compensation; and (ii) the effort to find a willing buyer for Ms. Ganguly's multi-million dollar property on Staten Island.

As of the end of August 2016, both of these matters have been resolved. On August 22, 2016, the court overseeing the Forfeiture Proceeding granted the government's motion to dismiss the petition. Additionally, Ms. Ganguly's Staten Island home was sold on or about August 25, 2016, the net proceeds of which, Plaintiffs are informed, total approximately \$1.8 million. Together, these developments clear the way for the money held in the bank account at issue and the proceeds of the property sale to be added to the victims' compensation fund.

The U.S. Attorney's Office has informed Plaintiffs that it expects file a motion for a final forfeiture order, which will authorize the distribution of restitution to Ms. Ganguly's victims. Once that order has been entered, Plaintiffs will have to submit an application for restitution, which, once approved, will enable them to recover a proportional share of their losses from the fund. Plaintiffs' understanding, however, is that the victim's compensation fund will not contain enough money to fully compensate all of Ms. Ganguly's victims for their losses. Plaintiffs'

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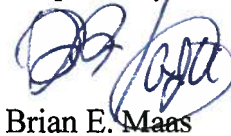
therefore contend that their claims in this action will remain intact notwithstanding any partial recovery through this mechanism.

The recent material developments in the Forfeiture Proceeding will have a substantial impact on this action: the forthcoming final forfeiture order will likely affect the parties here; and the amount that the Plaintiffs stand to recover through the compensation fund will bear directly on the parties' attempts to settle this action short of trial. Accordingly, counsel for the parties have conferred and agree that this action should remain stayed pending the issuance of the final forfeiture order and the Plaintiffs' receipt of their distributions from the fund.

On these grounds, the parties respectfully request that this Court extend the relief previously granted and stay this action for an additional period of approximately 90 days, until December 16, 2016.

Counsel for Plaintiffs and Defendants are available at Your Honor's convenience to discuss their joint request, or any other matter.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "B. Maas", is written over a circular stamp or seal.

Brian E. Maas

cc: Mark K. Anesh, Esq. (via ECF)